

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
IRINA MORDUKHAYEV,

Plaintiff,

-against-

HILTON TIMES SQUARE, SUNSTONE HOTEL
PROPERTIES INVESTORS, INC., HILTON
HOTELS CORPORATIONS, FC42 HOTEL LLC,
SUNSTONE 42ND STREET LLC, SUNSTONE
42 STREET LESSEE, INC., SUNSTONE
HOTELS PROPERTIES, INC. d/b/a HILTON
TIMES SQUARE, SUNSTONE HOTEL OP,
SECURE WATCH24 d/b/a SW24, SLAVKA
KMEE, FOSTER BURNETT, ROCCO
CASTELLANO, and NEW YORK HOTEL AND
MOTEL TRADES COUNCIL, AFL-CIO (Union)

Defendants.

-----X

A Memorandum and Order of Honorable Eric N. Vitaliano, United States District Judge, having been filed on October 5, 2011, granting the Sunstone Defendants' and SW24's motions for dismissal to the extent that Plaintiff's LMRA claims are, along with any state law breach of contract claim, is dismissed with prejudice; granting the Union's motion for judgment on the pleadings and dismissing the single claims against it with prejudice; granting the balance of the motions of the Sunstone Defendants and SW24 only to the extent that all remaining state law claims Title VII, ADA and ADEA are dismissed without prejudice; and ordering that no costs or disbursements are awarded; it is

ORDERED and ADJUDGED that Plaintiff's Labor Management Relations Act and state breach of contract claim against the Defendants Sunstone Hotel Properties Investors, Inc., Sunstone 42nd Street LLC, Sunstone 42nd Street Lessee, Inc., Sunstone Hotel Properties, Inc. d/b/a Hilton Times Square, Sunstone Hotel OP, and Secure Watch24 are dismissed with

Page 2

JUDGMENT
11-CV- 0615 (ENV)

with prejudice; that Plaintiff's Title VII, ADA, and ADEA and remaining state law claims are dismissed without prejudice against Defendants Sunstone Hotel Properties Investors, Inc., Sunstone 42nd Street LLC, Sunstone 42nd Street Lessee, Inc., Sunstone Hotel Properties, Inc. d/b/a Hilton Times Square, Sunstone Hotel OP, and Secure Watch24; and that Plaintiff's claim against New York Hotel and Motel Trades Council, AFL-CIO (Union) is dismissed with prejudice; and that no costs or disbursements are awarded.

Dated: Brooklyn, New York
November 21, 2011

s/ DCP

DOUGLAS C. PALMER
Clerk of Court